

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 10-50 (RHK/FLN)

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	ORDER
)	
DARNELL CLEVELAND HARRIS,)	
)	
Defendant.)	

This matter is before the Court upon the Defendant's Motion to exclude the period of time from the date of the original trial date of May 10, 2010, to the new trial date of November 8, 2010, from the Speedy Trial Act computations in this case. Pursuant to 18 U.S.C. § 3161(h)(8)(A), the Court finds that the ends of justice served by the granting of such continuance outweigh the best interests of the public and the Defendant in a speedy trial. This finding is based on the following specific findings of fact: (1) The Defendant has waived his right to a speedy trial on the record and has consented to the exclusion of this time from the Speedy Trial Act computations; (2) counsel for the Defendant has represented, and the Court finds, that the Defendant needs and has needed the time from May 10 through November 8, 2010, to adequately prepare his case for trial; (3) this case presents witness issues in which both the defense and the government need additional time to secure the attendance of witnesses at trial; (4) the Defendant is in state custody serving time on an unrelated charge, and

delaying the trial to November 8, 2010, causes no prejudice to the defendant or the public.

Accordingly, IT IS HEREBY ORDERED that the period from May 10, 2010, through November 8, 2010, shall be excluded from the Speedy Trial Act computations in this case.

Dated: September 27, 2010.

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge